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Paper No. 10

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APR 02 2004

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In re Application of
Nikolaus P.W. Almassy,
Application No. 09/668,502
Filed: September 22, 2000
For: SYSTEM AND METHOD FOR THE
EXCHANGE OF LOCATION INFORMATION
IN A TELEPHONE NETWORK

DECISION ON PETITION

This is a decision on the Request to Withdraw Notice of Abandonment filed October 14, 2003, and resubmitted on December 17, 2003 which is being treated as a Petition to Withdraw the Holding of Abandonment pursuant to 37 C.F.R. § 1.181(a). No fee is required.

The application was held abandoned for failure to respond in a timely manner to the non-final Office action mailed on March 26, 2003. A Notice of Abandonment was mailed September 23, 2003.

Petitioner alleges to have timely filed a proper response to said Office action. In support of the petition, Petitioner has submitted, a date-stamped post card receipt, indicating that an amendment along with a request for two month extension of time was received in the Patent and Trademark Office on September 2, 2003.

In fact, the original response has recently been located, matched and entered into the file. The response was timely received. Consequently, there is no abandonment in fact.

In view of the above stated reasons, the Notice of Abandonment is hereby vacated and the holding of abandonment withdrawn.

The petition is **GRANTED**.

Any inconvenience caused to petitioner is regretted.

The application file will be forwarded to the examiner for expedited action.

Allen Macdonald

Allen Macdonald, Director
Technology Center 2600
Communications